

REMARKS

Claims 1-34 are pending in this application. By this amendment, the Abstract and claims 8, 10, 12, 15, 20, 25, 26, 30 and 31; and claims 33 and 34 are added. No new matter is added. Further, the amendments are made solely to place the claims in proper form for U.S. Patent practice, and not to overcome any prior art. Reconsideration and allowance of this application are respectfully requested.

Allowable Subject Matter

Applicant appreciates that claims 1-24 are allowed. Although claims 25-32 were not indicated as being allowable, Applicant has assumed that claims 25-32 are also allowable as claims 25-32 have not been rejected under art.

Further, the Examiner offers several reasons why the claims of the present application are allowable over the prior art of record.¹ Although Applicant agrees that the various claimed limitations mentioned in the claims are not taught or suggested by the prior art, taken either singularly or in combination, Applicant wishes to emphasize that it is each claim taken as a whole, including the interrelationships and interconnections between various claimed elements which is allowable over the prior art of record.

Objection to the Specification

The Abstract has been objected to as including legal phraseology such as “means” and “comprising”. Applicant has amended the Abstract, taken into consideration the Examiner’s comments, to obviate the objection. Withdrawal of the objection is respectfully requested.

Claim Rejection – 35 U.S.C. § 112

Claims 25-32 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

With regard to claims 25 and 26, Applicant has amended claims 25 and 26 to recite a “method of supplying a powder material by using a plasma-spraying device” in the preamble. Applicant submits that the amendment is now consistent with the body of the claim.

With regard to claims 30 and 31, Applicant submits that claims 30 and 31 are now amended to recite active method steps, and are thus in compliance with 35 U.S.C. § 112, second paragraph.

For all the reasons stated above, reconsideration and withdrawal of the rejection is respectfully requested and favorable allowance of all claims in the application is also respectfully requested.

New Claims

Claims 33 and 34 have been added in an effort to provide further, different protection for Applicant's invention. Claims 33 and 34 are allowable for the reasons somewhat similar to those given for claims 1-32 above, and/or for the further features recited therein.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-34 in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Donald J. Daley, at the telephone number of the undersigned below.

¹ See Office Action, page 3, paragraph 5.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By:  Reg 48078
for Donald J. Daley, Reg. No. 34,313

P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

DJD/DJC/aeH

MARKED-UP VERSION

———~~The invention~~ Example embodiments relates to a plasma-spraying device for spraying a powdered material, ~~comprising~~ including electrodes (1), which may form a plasma channel (2) having an inlet end (3) and an outlet end (4), and a ~~means~~ unit (5) for supplying ~~said the~~ powdered material to ~~said the~~ plasma channel (2). The powder supply ~~means~~ unit (5) is may be arranged between a first section (6) of ~~said the~~ electrodes (1) located upstream of the ~~means~~ powder supply unit (5) and a second section (7) of ~~said the~~ electrodes (1) located downstream of the powder supply means (5), as seen in the direction of plasma flow of the plasma channel (2).